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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

JH KELLY, LLC

Plaintiff,

vs.

AECOM TECHNICAL SERVICES, INC., et al.

Defendant.

Case No. 4:20-cv-05381-HSG (Lead Case)

(Reference withdrawn from Bankruptcy Case No. 19-30088, Adv. Proc. No. 20-03019 and Adv. Proc. No. 19-03008)

(Consolidated with Case No. 3:20-cv-08463-EMC)

**STIPULATED REQUEST TO
MODIFY BRIEFING SCHEDULE ON
PG&E'S AMENDED MOTION TO
DISMISS/STRIKE RE: AECOM'S
SECOND AMENDED COUNTER-
CLAIM [DKT NO. 69]**

1 Pursuant to Civil L.R. 6-2, AECOM Technical Services (“AECOM”), and Pacific Gas and
2 Electric Company (“PG&E”) (collectively, the “Parties”) jointly seek an order of the Court to
3 modify the briefing schedule for PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s
4 Second Amended Counterclaim.

5 The Parties, through their respective counsel, stipulate as follows:

6 WHEREAS, on August 9, 2021, PG&E filed its Motion to Dismiss/Strike re: AECOM’s
7 Second Amended Counterclaim [Dkt. No. 67], setting a hearing date of November 18, 2021;

8 WHEREAS, on August 17, 2021, PG&E filed its Amended Motion to Dismiss/Strike re:
9 AECOM’s Second Amended Counterclaim [Dkt. No. 69], setting a hearing date of November 4,
10 2021;

11 WHEREAS, per the Federal Rules of Civil Procedure, the last day for AECOM to file
12 AECOM’s Response to PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s Second
13 Amended Counterclaim is August 31, 2021;

14 WHEREAS, per the Federal Rules of Civil Procedure, the last day for PG&E to file
15 PG&E’s Reply to AECOM’s Response to PG&E’s Amended Motion to Dismiss/Strike re:
16 AECOM’s Second Amended Counterclaim is September 7, 2021;

17 WHEREAS, the Parties wish to focus their time and resources on discovery and
18 depositions in the coming months;

19 WHEREAS, there have been no previous time modifications in this case related to
20 PG&E’s Amended Motion to Dismiss/Strike re: AECOM’s Second Amended Counterclaim, but
21 there have been three (3) other brief time modifications in the case by stipulation of the Parties;

22 WHEREAS, the reason for requesting the enlargement of time related to PG&E’s
23 Amended Motion to Dismiss/Strike re: AECOM’s Second Amended Counterclaim is so that the
24 Parties may conserve resources and time to focus on key depositions of witnesses related to the
25 Parties’ claims;

26 WHEREAS, the requested time modification will not impact the schedule for the case.

27 NOW THEREFORE, in consideration of the foregoing, the Parties, by and through their
28 respective counsel, hereby STIPULATE and AGREE as follows:

STIPULATED REQUEST TO MODIFY BRIEFING SCHEDULE

1 1. AECOM's deadline to file its Response to PG&E's Amended Motion to Dismiss/Strike
2 re: AECOM's Second Amended Counterclaim is continued from August 31, 2021 to September
3 17, 2021;

4 2. PG&E's deadline to file its Reply to AECOM's Response to PG&E's Amended Motion
5 to Dismiss is continued from September 7, 2021 to October 1, 2021;

6 3. The hearing date for PG&E's Amended Motion to Dismiss shall remain on
7 November 4, 2021.

8 4. By entering into this Stipulation, the Parties do not waive, and expressly preserve any
9 and all rights and defenses.

10
11 **IT IS SO STIPULATED.**

12 DATED: August 18, 2021

13 **RALLS GRUBER & NIECE LLP**

14
15 By: /s/ Dylan J. Crosby
16 Aaron R. Gruber
Dylan J. Crosby

17 *Attorneys for Pacific Gas and Electric*
18 *Company*

19 DATED: August 18, 2021

20 **TROUTMAN PEPPER HAMILTON**
21 **SANDERS LLP**

22 By: /s/ Luke N. Eaton
23 Marion T. Hack
24 Luke N. Eaton
25 William Taylor

26 *Attorneys for AECOM Technical Services, Inc.*
27
28

1 I, Luke N. Eaton, am the ECF user whose ID and password are being used to file this
2 Stipulation in compliance with Civil L.R. 5-1(i)(3). I hereby attest that the concurrence of the
3 filing of this document has been obtained from each of the other signatories indicated by a
4 conformed signature (/s/) within this document.

5 DATED: August 18, 2021

6 By: /s/ Luke N. Eaton
7 Luke N. Eaton
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